

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN SECTION OF TENNESSEE  
WESTERN DIVISION

SCOTT TURNAGE, CORTEZ D. BROWN, )  
DEONTAE TATE, JEREMY S. MELTON, )  
ISSACCA POWELL, KEITH BURGESS, )  
TRAVIS BOYD, and TERRENCE DRAIN, )  
and KIMBERLY ALLEN on behalf of )  
themselves and all similarly situated )  
persons, )

PLAINTIFFS,

V.

BILL OLDHAM, in his individual capacity )  
and in his official capacity as the Sheriff of )  
Shelby County, Tennessee; ROBERT )  
MOORE, in his individual capacity and in )  
his official capacity as the Jail Director of )  
the Shelby County, Tennessee; CHARLENE )  
McGHEE, in her individual capacity and in )  
her official capacity as the of Assistant Chief )  
Jail Security of Shelby County, Tennessee; )  
DEBRA HAMMONS, in her individual )  
capacity and in her official capacity as the )  
Assistant Chief of Jail Programs of Shelby )  
County, Tennessee; SHELBY COUNTY, )  
TENNESSEE, a Tennessee municipality; )  
and TYLER TECHNOLOGIES, INC., a )  
foreign corporation, )

DEFENDANTS.

**Case No. 2:16-cv-2907-SHM/tmp**

**CLASS ACTION COMPLAINT FOR  
VIOLATIONS OF THE CIVIL RIGHTS  
ACT OF 1871, 42 U.S.C. § 1983, AND  
TENNESSEE COMMON LAW**

**JURY TRIAL DEMANDED  
PURSUANT TO FED. R. CIV. PRO. 38(a)  
& (b)**

## MOTION FOR SUBSTITUTION OF PARTY

COME NOW Plaintiffs, Scott Turnage, Cortez D. Brown, Deontae Tate, Jeremy S. Melton, Issacca Powell *deceased*, Keith Burgess, and Travis Boyd, and states as follows:

1. Plaintiff, Issacca Powell, passed away on February 4, 2019. An attested copy of the *Order Granting Petition for Appointment of Administrator Ad Litem* is attached hereto.
2. Aubrey L. Brown was appointed as Administrator Ad Litem on August 22, 2019 by the Probate Court of Shelby County, Tennessee in cause number PR-14764.
3. Counsel for Plaintiffs now moves this Court to substitute as Plaintiff “Aubrey L. Brown as Administrator ad Litem for the Estate of Issacca Powell”.

Respectfully submitted,

/s/Brice M. Timmons

Michael G. McLaren (#5100)  
William E. Cochran, Jr. (#21428)  
Brice M. Timmons (#29582)  
BLACK McLAREN JONES RYLAND & GRIFFEE PC  
530 Oak Court Drive, Suite 360  
Memphis, TN 38117  
(901) 762-0535 (Office)  
(901) 762-0539 ( Fax)  
[wcochran@blackmclaw.com](mailto:wcochran@blackmclaw.com)

Frank L. Watson, III (Tenn. Bar No. 15073)  
William F. Burns (Tenn. Bar No. 17908)  
WATSON BURNS, PLLC  
253 Adams Avenue  
Memphis, Tennessee 38104  
Phone: (901) 529-7996  
Fax: (901) 529-7998  
Email: [fwatson@watsonburns.com](mailto:fwatson@watsonburns.com)  
Email: [bburns@watsonburns.com](mailto:bburns@watsonburns.com)

Claiborne Ferguson (Tenn. Bar No. 20457)  
Attorney for Plaintiffs and the Class  
THE CLAIBORNE FERGUSON LAW FIRM P.A.  
294 Washington Avenue  
Memphis, Tennessee 38103  
[Claiborne@midsouthcriminaldefense.com](mailto:Claiborne@midsouthcriminaldefense.com)

Joseph S. Ozment (Tenn. Bar No. 15601)  
THE LAW OFFICE OF JOSEPH S. OZMENT, PLLC  
1448 Madison Ave.  
Memphis, Tennessee 38104  
Phone: (901) 525-4357  
Email: [jozment@oz-law.net](mailto:jozment@oz-law.net)

*Counsel for Plaintiffs and the putative Class  
Members*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 6<sup>th</sup> day of September, 2019, the foregoing document was served upon all parties to this action via the Court's ECF system

/s/ Brice M. Timmons.

**CERTIFICATE OF CONSULTATION**

The undersigned hereby certifies that I have consulted with counsel for the opposing parties via email and that one or more Defendants opposes/does not consent to the relief sought in the motion.

/s/ Brice M. Timmons.